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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/479,564	01/07/2000	AKIKO MIYATA	P/3156-13	3214

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EXAMINER
YUN, EUGENE

ART UNIT	PAPER NUMBER
2682	14

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/479,564	MIYATA, AKIKO	
	Examiner	Art Unit	
	Eugene Yun	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-33 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-4,6-10,12,14-16,18,20-24 and 26-33 is/are rejected.

7)☒ Claim(s) 5,11,13,17,19 and 25 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 07 January 2000 is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/29/2003 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1, 2, 3, 4, 6-10, 12, 14-16, 18, 20-24, and 26-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enmei (6,067,082) in view of Suzuki (02-113657 "cited in IDS").

Referring to Claim 1, Enmei teaches a destination calling control system comprising:

a database (see col. 3, line 42);

an image storage for storing image data (see col. 3, lines 42-43);

a display 3C (fig. 116) for displaying said image data;

area specification means for specifying a destination image area within an image displayed on said display (see fig. 69);

input means for entering destination data corresponding to the destination image area (see col. 30, lines 20-21);

data registration means for calculating coordinate data of said destination image area (see col. 30, lines 22-23), associating said coordinate data with the destination data (see col. 30, lines 23-36), and registering storing said associated data in said database (see col. 3, lines 42-43); and

calling means 7 (fig. 1) for contacting the destination based on the destination data and the destination area.

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Suzuki teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see fig. 4 where different portions of the image have separate destinations all with separate phone numbers). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to increase the user friendliness of a mobile device.

Referring to Claim 9, Enmei teaches a destination calling control method comprising:

capturing image data (see col. 3, lines 32-34);

storing the image data (see col. 3, lines 42-43);

displaying said image data as a displayed image (see 3C of fig. 116);

specifying a destination image area within said displayed image (see fig. 69);

entering destination data corresponding to said destination image data (see col. 30, lines 20-21);

calculating coordinate data for said destination image area (see col. 30, lines 22-23), associating said coordinate data with said destination image area (see col. 30, lines 23-36), and storing the associated data with a database (see col. 3, lines 42-43);

retrieving destination data by specifying said destination image area (see col. 30, lines 21-22);

calculating said coordinates of said destination image area searching said database for the destination data (see col. 30, lines 23-24); and

contacting said destination corresponding to the destination data (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Suzuki teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see fig. 4 where different portions of the image have separate destinations all with separate phone numbers). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to increase the user friendliness of a mobile device.

Referring to Claim 15, Enmei teaches a computer readable program product, said program product configured to execute in a computer the following destination calling control method comprising:

capturing desired image data (see col. 3, lines 32-34) and storing said data (see col. 3, lines 42-43);

displaying said image data (see 3C of fig. 116);

specifying a desired area within an image displayed corresponding to said image data (see fig. 69) and, entering destination data corresponding to said destination image area (see col. 30, lines 20-21);

calculating coordinate data of said desired area (see col. 30, lines 22-23), associating said coordinate data with said destination data (see col. 30, lines 23-36), and storing said associated data with a database (see col. 3, lines 42-43);

specifying as a destination, the desired area in the image and calculating the coordinate of the desired area specified searching said database for the destination data based on the coordinate (see col. 30, lines 19-36), and calling the destination based on the destination data (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Suzuki teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see fig. 4 where different portions of the image have separate destinations all with separate phone numbers). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to increase the user friendliness of a mobile device.

Referring to Claim 21, Enmei teaches a destination calling control system comprising:

a memory device configured to store a database (see col. 3, line 42);

an image storage unit for storing image data (see col. 3, lines 42-43);

a display unit 3C (fig. 116) for displaying the image data;

an area specification unit configured to allow a user to specify a desired area within the image displayed on said display unit (see fig. 69);

an input unit for entering destination data (see col. 30, lines 20-21);

a data registration unit configured to calculate coordinate data of the area specified by said area specification unit as a destination image area (see col. 30, lines 22-23), associating the coordinate data with the destination data entered from said input unit (see col. 30, lines 23-36), and to register the associated data with said database (see col. 3, lines 42-43);

a destination data search unit configured to calculate the coordinates of the area specified by said area specification unit as a destination and to search said database for the destination data based on the coordinates (see col. 30, lines 21-24); and

a calling unit calling the destination based on the destination data obtained by said destination data search unit (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Suzuki teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see fig. 4 where different portions of the image have separate destinations all with separate phone numbers). Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to increase the user friendliness of a mobile device.

Referring to Claim 2 and 22, Enmei also teaches said display comprising a touch screen (input pen 55 of fig. 116 is used to touch screen).

Referring to Claims 8 and 28, Enmei also teaches said data registration means defining an outline of said destination image area, calculating the coordinate data of said outline, associating said coordinate data with said destination data, and storing said associated data in said database (see col. 30, lines 19-36).

Referring to Claims 14 and 20, Enmei also teaches the coordinate area of said destination image area obtained by extracting an outline of a destination object in said destination image area and by calculating said coordinates of an area encircled by said outline (see col. 30, lines 19-36).

Referring to Claim 29, Enmei also teaches destination data search means for calculating coordinates of a selected area indicating a destination image area for searching said database means for the destination data associated with the coordinates (see col. 30, lines 21-24); and

calling means for calling the destination associated with the destination data obtained by said destination data search means (see col. 3, lines 46-49).

Referring to Claim 30, Enmei teaches a destination calling control method comprising:

capturing an image (see col. 3, lines 32-34);

storing said image (see col. 3, lines 42-43);

selecting a portion of said image (see 553 of fig. 69);

entering destination data corresponding to said portion of said image (see col. 30, lines 20-21);

storing said destination data corresponding to said portion of said image (see col. 32, lines 35-39);

retrieving said destination data by selecting said portion of said image (see col. 32, lines 26-28); and

dialing a call utilizing said destination data (see col. 3, lines 46-49 and 7 of fig. 1). Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Suzuki teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see fig. 4 where different portions of the image have separate destinations all with separate phone numbers). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to increase the user friendliness of a mobile device.

Referring to Claim 32, Enmei teaches a destination calling apparatus comprising:

a memory for storing an image (see col. 3, lines 42-43);

a display 3C (fig. 116) for displaying said image;

a selector for selecting a portion of said image (see 553 of fig. 69);

an input device for entering destination data corresponding to said portion of said image (see col. 30, lines 20-21);

a register for calculating coordinate data for said portion of said image (see col. 30, lines 22-23), associating said coordinate data with said destination data (see col. 30, lines 23-36), and storing said associated data in said memory (see col. 30, lines 13-36);

a searcher for retrieving destination data based on coordinates of a portion of said image selected by said selector (see col. 32, lines 26-28); and

a calling device for calling using the destination data retrieved by said searcher (see col. 3, lines 46-49 and 7 of fig. 1).

Enmei does not teach the destination data chosen from the group consisting of telephone number, fax number, and email. Suzuki teaches the destination data chosen from the group consisting of telephone number, fax number, and email (see fig. 4 where different portions of the image have separate destinations all with separate phone numbers). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Suzuki to said device of Enmei in order to increase the user friendliness of a mobile device.

Referring to Claim 33, Enmei also teaches said program product carried on a medium (see col. 3, lines 31-49).

Regarding Claims 3 and 23, Suzuki also teaches image pasting means for pasting a title image (see fig. 4) created by a title image creation means and the plurality of destination images 1-16 (fig. 4) captured by said image capturing means and for storing the pasted images.

Referring to Claim 4 and 24, Suzuki also teaches said display displaying said title image as a reference and allowing the user to scroll across the paste image (see fig. 4

where scrolling across the paste image is required for a destination selection to be made).

Referring to Claims 6 and 26, Suzuki also teaches the image comprising a photographic image (see fig. 2).

Referring to Claims 7 and 27, Enmei also teaches a handwritten input image created by the title image creator (see fig. 12).

Regarding Claims 10 and 16, Suzuki also teaches creating a paste image by pasting a plurality of destination images with a title image (see images 1-16 combined into one image in fig. 4).

Regarding Claims 12 and 18, Suzuki also teaches a photographic image or a handwritten image used as the destination image constituting said paste image (see figs. 2 and 4).

Regarding Claim 31, Suzuki also teaches said image including at least a portion of a person (see fig. 2).

Allowable Subject Matter

4. Claims 5, 11, 13, 17, 19, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding Claims 5, 11, 17, and 25, Enmei does not teach assigning unique number in a numeric keypad to a paste image, and displaying the destination image or the title image in response to the number of the numeric key that is pressed.

Response to Arguments

5. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Eugene Yun
Examiner
Art Unit 2682

EY
July 10, 2003

VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

7/11/03